

AMENDED IN SENATE MARCH 27, 2000

SENATE BILL

No. 1743

Introduced by Senator Johnson

February 23, 2000

An act to add Section 1824 to the Insurance Code, relating to bail.

LEGISLATIVE COUNSEL'S DIGEST

SB 1743, as amended, Johnson. Bail licensees: advertisement and solicitation of bail and bail services.

Existing law provides for licensing and regulation of bail agents, bail permittees, and bail solicitors by the Insurance Commissioner. A violation of these provisions is a crime.

This bill would generally prohibit a bail licensee from directly or indirectly advertising bail or bail services or soliciting bail in any building used for the detention of criminally accused or sentenced persons or for the administration of justice, or within ~~1,000~~ 500 feet of that building or associated parking lot or facility, except as specifically provided. Because a violation of these provisions would be a crime, this bill would impose a state-mandated local program by creating a new crime.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 1824 is added to the Insurance
2 Code, to read:
3 1824. (a) Except as provided in Sections 2074 and
4 2079 of Title 10 of the California Code of Regulations, no
5 bail licensee shall, directly or through any other person or
6 entity, in any manner advertise bail or bail services or
7 solicit bail in any building used, in whole or in part, for the
8 detention of criminally accused or sentenced persons or
9 for the administration of justice, including the offices of
10 publicly funded local public defenders and district
11 attorneys, and including any parking lot or facility used
12 for visitors to that building, or within~~1,000~~ 500 feet of that
13 building, parking lot, or facility.
14 (b) This section does not preclude a licensee from
15 doing any of the following:
16 (1) Owning or leasing an office in a building that is
17 within~~1,000~~ 500 feet of a building, parking lot, or facility
18 described in subdivision (a), or from having a sign on that
19 office.
20 (2) Advertising on a nonmovable structure that has
21 been or will be affixed to the ground for more than one
22 year within~~1,000~~ 500 feet of a building, parking lot, or
23 facility described in subdivision (a) under the terms of an
24 agreement in existence prior to January 1, 2001. However,
25 the agreement may not be extended for any time period
26 after that date.~~In addition, any advertising pursuant to~~
27 ~~that agreement shall be terminated by the licensee by~~
28 ~~December 26, 2001.~~
29 (3) Purchasing advertising on a bus, taxi, or other
30 vehicle owned and operated by a licensed common
31 carrier or public transit operator that may pass within
32 ~~1,000~~ 500 feet of a building, parking lot, or facility
33 described in subdivision (a), provided that the licensee
34 otherwise has no direct or indirect interest in the

1 ownership or operation of the bus, taxi, or other vehicle
2 owned or operated by a licensed common carrier.

3 *(c) Nothing in this section shall prohibit an entity*
4 *responsible for a building, parking lot, or facility*
5 *described in subdivision (a) from publicly posting in that*
6 *building, parking lot, or facility, the names, addresses,*
7 *telephone numbers, and license numbers of bail licensees*
8 *located in the county or the adjacent geographical area,*
9 *as long as the information is provided without charge to*
10 *that entity and posted without charge to bail licensees*
11 *and the information does not give preference to one*
12 *licensee over another.*

13 *(d) Nothing in this section shall prohibit an entity*
14 *responsible for a building, parking lot, or facility*
15 *described in subdivision (a) from maintaining and*
16 *making available or posting a complete copy of that*
17 *portion of the local Yellow Pages or other similar publicly*
18 *distributed general directory that includes listings and*
19 *advertisements for bail licensees.*

20 SEC. 2. No reimbursement is required by this act
21 pursuant to Section 6 of Article XIII B of the California
22 Constitution because the only costs that may be incurred
23 by a local agency or school district will be incurred
24 because this act creates a new crime or infraction,
25 eliminates a crime or infraction, or changes the penalty
26 for a crime or infraction, within the meaning of Section
27 17556 of the Government Code, or changes the definition
28 of a crime within the meaning of Section 6 of Article
29 XIII B of the California Constitution.